

1870-010 Chancery Causes: Admr. of William Albert vs. Richard C. Ball &
Lee Co.

Jayne, Henson

CA Debt

To the Honorable Henry J. Morgan Judge of the
County Court of Lee County in Chy now sitting

Your orator James W. Jayne administrator
of the estate of William Albert deceased
humbly complaining sheweth unto your Honor
that on the 28th day of Nov. 1867 one Anders P.
Henson, and Richard C. Ball, executed, to your
orator, as admr. as aforesaid, their certain
promissory note, and subscribed their names
thereto, for the sum of \$152., due and payable
twelve months after the date thereof - which
said promissory note, will in due time
be filed with this bill marked A - Upon
this note your orator instituted, suit in the
County Court of Lee County, and at the August
term 1869 thereof, your orator, obtained
judgement against the said Henson for the
amount of said note - A transcript of
which said judgement will in due time
be filed with this bill marked B. The de-
fendants, nor neither of them, has never paid
to your orator, the said notes or judgement or
any part thereof, but the same is wholly due
and still owing. At the time of the rendition
of the said judgement, and before process
had been served on him, the said ^{Richard C.} Ball
removed from this Commonwealth, and still
remains a non-resident of this State -
The said Henson, was at the rendition of
the said judgement, wholly insolvent, and
the said Ball left no effects in this State
out of which, he could have made his
claim or any part thereof -

But since the transactions, hereinbefore mentioned
one Spencer Ball of this county, the father of
the said Richard L. Ball, and father-in-law of the
said Henson whose wife is still living, has
deported this life intestate - and the said Richard
L. Ball as one of his heirs at law, is entitled
as distributee, of his personal ^{estate}, to the one
part thereof - The said Henson in right of his
wife is entitled to the other part thereof -
The said Ball is as heir at law entitled
to the one part of the real estate
owned by the said Spencer Ball at the time
of his death, and the said Henson is en-
titled to his curtesy, in the lands descended
to his said wife. Your orator alleges that
the personal estate of the said, Spencer Ball
in the hands of his adm^r will amount to the
sum of \$. . . of which the, the said Richard
L. Ball and Andrew P. Henson will be entitled as
aforesaid - Your orator further alleges that
the real estate descended, to the said Richard
L. Ball, and Henson as aforesaid is worth
the sum of \$. . . The object of this bill
therefore is to obtain a decree, against the
said ^{Richard L.} Ball, for the amount of the note and
interest aforesaid - and that

The administrator of Spencer
Ball, deceased, be decreed to pay his
distributable share in his said father's
personal estate, ^{to your orator, or enough thereof as will satisfy his demand} and that the said adm^r
also directed to pay the distributable share
of the said Henson over to your orator, as
he is advised that the fieri facias, herewith

filed marked 'le' is a lien on all dues
debts & demands, belonging to or falling
due to the said Henson - And in the
event the said personal estate belonging to
the, said Henson & Ball, should prove in-
sufficient then that so much of the land
belonging to the said Richard L. Ball he sold
as is necessary to pay and discharge the said
claim and costs of suit - And in the event
the personal estate, aforesaid belonging to the
said Richard L. Ball and A. P. Henson & the
lands of the said Richard L. be insufficient
then that the lands descending to the wife
of the said Henson and in which he is en-
titled to his life estate be ^{seized} and the
processes applied to the discharge of your
orator's claim or what may be due thereon
after exhausting, the personal estate and
lands of the said Richard L. Ball -

Your orator prays therefore, is, that the
said Richard L. Ball Andrew P. Henson
and ^{the administrator}
of the estate of Spencer Ball, ^{answer} be made parties
defendants to this bill and answer its al-
legations on oath, and on a hearing a decree
be rendered in conformity with this bill -
And grant other further & general relief. May
your honors issue &c -

Wm. H. & Pridemore

James W. Jayne admr &c

vs { Bill Chy

Richard C. Ball et al

Virginia Lee County to wit:-

This day James W. Jayne - personally appeared before me and, and made oath that Richard C. Ball. is a non resident of this State - And that he owns as affiant believes he has estate in lands belonging to him in this State

Given under my hand this 18th day of April 1870.

John B. West & Co

James W. Joyner

vs } affidavit

Richard C. Ball et al

1870 April 18th Filed.

James W. Joyner

vs } Affidavit of
non-residence.

Richard C. Ball et al

Virginia Lee County to wit:

This day James W. Jayne ~~the~~ personally
appeared before me, and made oath, that
Richard C. Ball and Anbers P. Benson are justly
indebted to him as the administrator of the estate
of Mr Albert deceased, in the sum of \$152- due
by note ^{dated} on 28th day of Nov. 1867, and due
twelve month after date- And that the
same now no part, thereof has been paid
Given under my hand this 18th day of
April 1870-
John B. West, Clerk

James W. Jayne

vs { affidavit

Richard C. Ball & others

P. Henson.

1870. March 18th Filed,

James W. Jayne adms

vs { ~~affidavit~~ of
Oath of claim

Richard C. Ball et al